

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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MARION KILER,

Plaintiff,

-against-

Case No.: 19-cv-4155

ZOCDOC, INC.,

Defendant.

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JOINT STIPULATION FOR DISMISSAL OF ENTIRE ACTION WITH PREJUDICE
PURSUANT TO F.R.C.P. 41(a)(1)(A)(ii)

Pursuant to Rule 41(a)(1)(A)(ii) of the Federal Rules of Civil Procedure, Plaintiff Marion Kiler (“Plaintiff”) and Defendant Zococ, Inc. (“Defendant”) stipulate and jointly request that this Court enter a dismissal with prejudice of Plaintiff’s Complaint in the above-entitled action, in its entirety, with the Court to retain jurisdiction over the parties and the action until November 30, 2022 for the sole purpose of enforcement of the parties’ obligations under Section 4.6 of the parties’ Confidential Settlement Agreement and Release of Claims. Section 4.6 of the Confidential Settlement Agreement and Release of Claims reads as follows:

Defendant shall, within thirty-six (36) months of the Effective Date (“the Remediation Period”), use good faith efforts to cause those portions of the Websites and Apps that are covered by Title III of the ADA to be in a condition or state that allows individuals with disabilities within the meaning of the ADA to gain the same information with an ease of use substantially equivalent to that of a non-disabled person using the Websites and Apps (“ADA Compliant”).

Each party shall bear her or its own fees, costs and attorneys’ expenses.

DATED: 12/17, 2019

Respectfully submitted,

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DATED: 01/07, 2020

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